

REMARKS

This Amendment is being submitted in response to the Office Action mailed in this application on November 29, 2005. A Request for a one-month extension of time accompanies this Amendment. A Transmittal of Corrected Drawings also accompanies this Amendment. By this amendment, claims 1, 11 and 14 have been amended; claims 4, 6, 9, 12, 13 and 15-18 have been canceled; and new claims 19 and 20 have been added. Accordingly, claims 1-3, 5, 7, 8, 10, 11, 14, 19 and 20 are pending in this application. Reconsideration of this application is requested in view of the above amendments and further in view of the following remarks.

First, Applicants note that claims 14-18 have been objected to for failing to further limit the subject matter of a previous claim. Claims 15-18 have been canceled. Accordingly, Applicants submit that the objection(s) with respect to these claims are moot. However, Applicants submit that claim 14 further limits claim 1 in that the "cells may be pressurised to the same or different predetermined pressures". Additionally, Applicants submit that claim 14 does more than "merely describe the functional intended use" as asserted in the Action. Rather, the claim provides for a characteristic of one embodiment of the cells.

For these reasons, Applicants request that these objection(s) be withdrawn.

Claims 1-5, 10-11, 16 and 18 were rejected under 35 USC §102(b) as being anticipated by US Patent No. 6290662 ("Morris et al."). Applicants respectfully traverse this rejection.

Morris et al. is directed to a surgical or post surgical device. (See column 1, lines 17 to 20; column 2, lines 38 to 41; and column 2, lines 50 to 51.) The device of Morris et al. is said to be simpler to enable self-containment and portability, but no mention is made concerning the effectiveness of the device. In the device of Morris et al., there is only one cell, which is located below the knee, in the calf region. Applicants' claimed device has three cells in the area below the knee in order not to compromise simplicity for effectiveness. Examples 1 to 4 of the application show that Applicants' simplified device is effective and, most importantly, that the cell in the gaiter region of the leg cuff is instrumental in obtaining that result. Morris et al. does not have a cell in that region and does not disclose that one would be significant.

For these reasons, Applicants request that this rejection be withdrawn.

Claims 1-7, 9-13, 16 and 18 were then rejected under 35 USC §102(e) as being anticipated by US Patent No. 6494852 (Barak et al.). Applicants respectfully traverse this rejection.

Barak et al. is directed to a device in which the thickness of the sleeve is reduced by providing interconnected compartments within each cell. The approach Barak et al. has taken to making the device portable is to focus on reducing the thickness of the sleeve so that a reduced volume of air is needed to apply a suitable pressure to the limb. Barak et al. has not been concerned with reducing the number of cells by identifying which cells are instrumental to the operation of the device. Moreover, the device of Barak et al. includes one or more cells applied to the thigh. Applicants' claimed invention focuses on providing cells below the knee of the patient in order to provide effective treatment to the patient.

For these reasons, Applicants request that this rejection be withdrawn.

Next, claims 1 and 8 were rejected under 35 USC §103(a) as being unpatentable over US Patent No. 4054129 ("Byars et al.") in view of Barak et al. Applicants traverse this rejection as well.

Byars et al. is directed to a sock provided with pockets for the receipt of inflatable bladders that apply pressure to the limb. In Applicants' invention, the sleeve surrounds the limb and, when it is used, a sock is interposed between the sleeve and the limb. The sock improves patient comfort in that it provides a comfortable contact surface for the limb which manages any sweat from the limb, or exudate from a wound on the limb, which would otherwise collect between the sleeve and the limb. The sock when used in Applicants' invention does not apply any significant pressure to the limb, this function being performed by the sleeve which is fully monitored. By contrast, the sock in Byars et al. applies pressure to the limb (see claim 1) as a consequence of the bladders being inflated. It is not possible to monitor the circumferential pressure applied by the sock in this manner. Byars et al. does not suggest a device with a sleeve that is separated from direct contact with the limb by a sock whose function is to provide comfort to the patient. Barak et al. does nothing to overcome the deficiencies of Byars et al. Accordingly, Applicants request that this rejection be withdrawn.

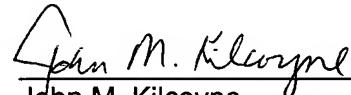
Finally, claims 14-15 and 17 were rejected under 35 USC §103(a) as being unpatentable over Barak et al. Applicants traverse this rejection.

For all the reasons given above with respect to the rejection over Barak et al. under 35 USC §102, Applicants submit that Barak et al. does not suggest the claimed invention either. Accordingly, Applicants request that this rejection be withdrawn.

In view of the foregoing, reconsideration of this application, and allowance thereof with claims 1-3, 5, 7, 8, 10, 11, 14, 19 and 20, are requested.

Respectfully submitted,

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